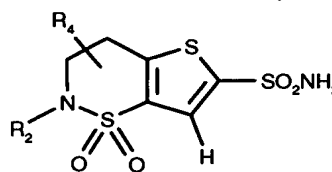
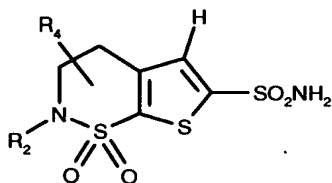


Although Applicants believe that in this situation, particular isomers are patentable over the racemates, in an effort to move this case towards allowance, a terminal disclaimer has been filed to overcome the Examiner's rejection on the grounds of obviousness type double patenting in view of US Patent No. 5,240,923.

The Examiner has indicated that claims 2, 8 and 14 are not understood. In relation to the structure in Claim 1, when  $R_3$  is in the 4 position  $GNR_1R_2$  is in the 5 position and visa versa (see the Spec., p. 6, lines 1-3, "Structure I includes isomers, wherein  $R_3$  and  $GNR_1R_2$  are attached to the 4 and 5 position respectively or  $R_3$  is attached to the 5 position and  $GNR_1R_2$  is attached to the 4 position.").

Claim 1 is also rejected under 34 USC §112, first and second paragraphs based on the Examiner's position on page 5 of the Office Action regarding  $R_1$  and  $R_3$ . In an effort to help the Examiner understand why these constituents are floating in the structure, Applicants have provided two structures (see below) to show how  $R_3$  and  $GNR_1R_2$  as now set forth in Claim 1 are attached to the 5 membered ring to form a 6 membered ring.  $R_4$  is then a substituent on the 6 membered ring (see the Spec. p. 4, lines 3-5 "or  $R_1$  and  $R_3$  can be joined together with carbon atoms to form a ring of from 5 to 7 members in which said carbon atoms can be unsubstituted or substituted optionally with  $R_4$ ").



The date for the Gronowitz article is 1986.

In view of the above amendments, explanations, and terminal disclaimer, Applicants' claims are now in condition for allowance and notice thereof is respectfully requested.

Respectfully submitted,

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